

1 **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

2 Application No. 10/609,329
3 Filing Date June 27, 2003
4 Inventorship Batterberry, et al.
5 Confirmation No. 7914
6 Assignee Microsoft Corporation
7 Group Art Unit 2863
8 Examiner LAU, Tung
9 Attorney's Docket No. MS1-1479US
10 Title: Midstream Determination of Varying Bandwidth Availability

11 **RESPONSE TO OFFICE ACTION DATED FEBRUARY 7, 2006**

12 To: Commissioner for Patents
13 P.O. Box 1450
14 Alexandria, VA 22313-1450

15 From: Lance Sadler (Tel. 509-324-9256, ext 226; Fax 509-323-8979)
16 Lee & Hayes, PLLC
17 421 W. Riverside Avenue, Suite 500
18 Spokane, WA 99201